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17 August 1973

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MEMORANDUM FOR: Office of Legislative Counsel

Attn: 

VIA:


Acting Deputy Director for Operations 

SUBJECT:

Representative Bray - Request for Material

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1. Much as we might like to have the Honorable William Bray champion our cause, his proposal to make his points in non-classified hearing reports and in the media presents a problem that is distinct from the one of what he is entitled to know in virtue of his congressional committee assignment (Senior Republican on House Armed Services).



2. The position on public release of such information was stated by Mr. Helms in his 14 April 1971 address to the American Society of Newspaper Editors.

"Our charter, the National Security Act of 1947, provides that in the interest of national security the Central Intelligence Agency will advise the National Security Council on intelligence activities

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of the government, make recommendations to the National Security Council for the coordination of such activities, correlate and evaluate foreign intelligence, perform additional services of common concern, and 'such other functions and duties related to intelligence affecting the national security as the National Security Council may from time to time direct.'

"This latter language was designed to enable us to conduct such foreign activities as the national government may find it convenient to assign to what can best be described as a 'secret service.' These activities have always been secondary to the production of intelligence, and under direct control by the Executive Branch. Obviously I can not go into any detail with you on such matters, and I do not intend to."

3. It is suggested that, as background material, you provide the Congressman the CIA publication (classified Confidential) of November 1971 entitled "Facts About the Central Intelligence Agency" and Mr. Helms's address "Global Intelligence and the Democratic Society." In addition, it is suggested that the Congressman also be provided a copy or, as we discussed, an edited version of the 1962 study "Constitutional and Legal Basis for So-Called Covert Activities of the CIA." This paper would be of considerable interest to a lawyer and congressman; it cites statutes and precedents supporting the broad powers of the President in the field of foreign affairs ("the power to conduct foreign relations successfully, by any means necessary---including both open and covert measures" pg. 7) and might direct further discussion along that line rather than on the line of specific authority for specific actions.

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Chief, Operations Staff

Attachments: A/S

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